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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**O I P E**  
**JCSO**  
**FEB 22 2005**  
**PATENT & TRADEMARK OFFICE**

Application No. : 09/465,338 Confirmation No. : 8786  
First Named Inventor : Kenneth ALBERT  
Filed : December 17, 1999  
TC/A.U. : 1615  
Examiner : Susan Tran  
Docket No. : 100338.55780US  
Customer No. : 23911  
Title : Chronotherapeutic Formulations of Diltiazem and the Administration Thereof

**Response to Notice of Non-Compliant Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment dated February 7, 2005, attached hereto are the claims with the requested status identifiers.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #100338.55780US).

Respectfully submitted,

February 22, 2005

*Robin Teskin*

Robin L. Teskin  
Registration No. 35,030

CROWELL & MORING LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
Facsimile No.: (202) 628-8844